

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

FILED

99 JAN -6 AM 11:30
U.S. DISTRICT COURT
N.D. OF ALABAMA

JOHNNY RAY COX,

Plaintiff,

vs

CIVIL ACTION NO. 98-PT-2237-M

WARDEN RON JONES, BETTY

TEAGUE, AND WILLIAM C. YOUNGS,

Defendants.

ENTERED

JAN -6 1999

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on October 27, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failure to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on November 6, 1998.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failure to state a claim upon which relief can be granted. An appropriate order will be entered consistent with this memorandum of opinion.

DONE, this 6th day of January, 1999.


ROBERT B. PROPST,
UNITED STATES DISTRICT JUDGE